

David A. Bardes, )  
)  
Plaintiff, )  
)  
v. ) C.A. No.: 2:08-487-PMD-RSC  
)  
)  
James A. Cannon, Jr., Sheriff of Charleston )  
County; )  
)  
Defendants. )  
\_\_\_\_\_ )

## ANALYSIS

Discovery request to be provided within one week; Depositions to be completed within 30 days of receiving requested discovery; Summary Judgment motions to be filed within 15 days after completion of depositions.

(Docket Entry # 140.) Two days after issuing this amended scheduling order, the court stayed any further discovery in the case until the court ruled on certain defendants motions to dismiss. As already discussed, the court dismissed those defendants on September 30, at which point the stay on discovery in this matter was lifted. Since Sheriff Cannon also filed his motion for leave to file a motion for summary judgment on September 30, his filing was timely, as he had at least 45 more days to complete discovery and file his motion for summary judgment.

### **CONCLUSION**

Since the court is now fully aware of the record and circumstances involving this pro se action, Defendant Sheriff James A. Cannon, Jr. is given leave to file his motion for summary judgment directly with the district court, assuming that the parties have completed discovery.

**AND IT IS SO ORDERED.**

  
\_\_\_\_\_  
PATRICK MICHAEL DUFFY  
United States District Judge

**October 9, 2009  
Charleston, SC**